IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

Crl.Rev.Pet.No. 1334 of 2007()

CRA.137/2004 of ADDL.SESSIONS COURT (SPL), KOTTAYAM
CC.78/2002 of JUDL.MAGISTRATE OF FIRST CLASS, ETTUMANOOR

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REVN. PETITIONER/APPELLANT/ACCUSED:

P.J. THOMAS,
(PROPRIETOR JUSTIN TRADERS),
PLAMOOTTIL HOUSE, KANAKKARI VILLAGE,
KANAKKARI.P.O.

BY ADV. SRI.THOMAS KUNNATHOOR

RESPONDENTS/RESPONDENTS/STATE & COMPLAINANT:

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1. STATE OF KERALA,
   REPRESENTED BY THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

2. P.D.JOSEPH,
   PALAVELIL HOUSE,
   KANAKKARI VILLAGE, KANAKKARI.P.O.

BY PUBLIC PROSECUTOR SRI.C.M. KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 27/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU,J

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C.R.R.P.No.1334 OF 2007

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Dated this the 27th day of March, 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the Appellate Court, to undergo simple imprisonment till rising of the court and to pay Rs.40,000/- as compensation under Section 357(3) Cr.P.C and in default to undergo simple imprisonment for two months.

2. The counsel for the revision petitioner has only sought for time to pay the amount of compensation. In the circumstances, the conviction and sentence is confirmed. The revision petitioner is granted six months time from today onwards to pay the amount of compensation. The revision petitioner shall appear before the Judicial First Class Magistrate Court, Ettumanoor, on 26.09.2007 to receive sentence. NBW pending if any shall be kept in abeyance till then.

The Crl.R.P is disposed of accordingly.

K.R.UDAYABHANU,JUDGE

dvs